

## INVESTOR COMPLAINTS

The Securities Division of the Arizona Corporation Commission is responsible for regulating the securities industry in the state of Arizona. One of our main functions is to oversee the firms and individuals that engage in the offer and sale of securities to the public. Securities can take many forms, including stock, notes, bonds, some partnership interests, variable annuities, viatical settlement interests, among many others. We also oversee the individuals and entities that provide investment advice for compensation.

Click here for a [complaint form](#) if you have information or complaints concerning possible violations of the Securities Act of Arizona or of the Arizona Investment Management Act.

### What the Securities Division can do for you:

- We will assign your complaint to an employee of the Securities Division for evaluation.
- We may make inquiries and/or conduct an investigation if a violation of one of the acts we regulate has occurred.

### What the Securities Division cannot do for you:

- The Securities Division cannot give you specific legal advice or refer you to a particular attorney or investment firm.
- The Securities Division cannot directly recover money for you. You may wish to employ an attorney to assist you in the recovery of your investment.

### How to File a Complaint

You can file a complaint with the Securities Division by U.S. mail, facsimile, and e-mail. To send by mail or facsimile, please fill out the Securities Division's [Investor Complaint Form](#).

By Mail. Send the completed form, together with copies of supporting documents relating to your investment, to:

**Complaints – Securities Division  
Arizona Corporation Commission  
1300 W. Washington St., 3<sup>rd</sup> Flr.  
Phoenix, AZ 85007**

By Fax. You may also fax your completed complaint form and copies of supporting documents to the Securities Division at **602-594-7470**.

Documents you should send with your completed complaint form include:

- All envelopes in which you received information relating to your investment;
- Letters;
- Confirmations;
- E-mail correspondence;
- Pamphlets;

- Offering circulars;
- Prospectuses or written offering memoranda;
- Purchase agreements;
- Stock certificates;
- Advertisements;
- Money order receipts or canceled checks (copies of front and back) by which you made payments.
- Other written material that may support your complaint. Keep originals for your files.

## What Should I Say in My Complaint?

The more information you provide, the more likely we will be able to promptly decide how we can help you. The following information is critical to investigate the subject of your complaint:

- **Names, addresses, telephone numbers**, and other identifying information for any person or entity you mention in your complaint.
- **Details of any transaction** or activity you think violates the Arizona Securities or Investment Management Acts. Present the events in the order in which they happened, using dates whenever possible.
- **Copies of documents, listed above, relating to the transaction** that is the subject of your complaint.
- **Signed declaration** as to truth and accuracy of your complaint.

## What the Securities Division Does with Your Complaint

Upon receipt of your complaint we will file the complaint in the records of the Arizona Corporation Commission and will consider making an inquiry into the matter. You should be aware that evaluation of your complaint might take several weeks. It is the Division's policy to conduct inquiries on a confidential basis. This is done to protect the integrity of the investigation and to protect the personal privacy of persons with respect to whom unfounded charges may be made.

Remember: The Division does not have authority to provide legal or financial advice to investors, or to represent them in connection with their personal rights. Any actions instituted by the Division with respect to alleged or purported violations are limited to remedial and enforcement actions seeking to prevent further violations. Thus, any action by the Division would not necessarily result in any monetary benefit to you. If you have suffered monetary loss, you should consider contacting a private attorney to discuss your legal rights and remedies under the Arizona Securities Act or other statutes. If you do not have a private attorney, the County Bar Association's Lawyer Referral Service may be consulted or the local Legal Aid Society may be able to assist you.

## STEPS YOU CAN TAKE IF YOUR COMPLAINT INVOLVES A DEALER

Many disputes with securities dealers can be directly resolved by you doing the following:

*Note: In some cases, these recommendations may be effective in resolving disputes with an investment adviser. Unless an investment adviser is a member of the NASD, the arbitration procedures discussed below may not be available. Additionally, smaller investment advisers do not have the same kind of*

*management structure as dealers, including office managers or compliance officers. If you are unsatisfied with the response of an investment adviser representative, speak to the investment adviser.*

### **Notify Your Dealer and Your Dealer's Manager:**

1. Talk to your salesman about the problem.
2. Negotiate directly with your salesman to resolve the matter. Frequently, minor issues can be settled informally at this point.
3. If you feel the salesman has answered your questions unsatisfactorily or is unwilling to review your complaint, contact his or her supervisor, as well as the office manager.
4. Write to the firm's chief compliance officer. This individual is located at the firm's home office address. Request a response in writing from the compliance officer. (You can get the name of the compliance officer and the firm's home address from the salesperson's office.)

### **Arbitration Procedures**

The United States Securities and Exchange Commission (SEC) has approved certain arbitration procedures for resolution of disputes between investors and their salesmen and dealers. Arbitration is a method of having a dispute between two or more parties resolved by an impartial person who is knowledgeable in the areas of controversy. That person is known as an arbitrator. Disputes between an investor and a dealer often involve complicated issues that, in the interest of fairness, require a prompt and inexpensive means of resolution. Because of this, arbitration has long been used as an alternative to the courts. Once the arbitrator has made a decision, the decision is final and is subject to review by a court only on a very limited basis. Also, if arbitration is chosen as a means of resolving a dispute, the complaining party gives up the right to pursue the matter through the courts.

Based upon the contract entered into between you and your dealer, you may be obligated to submit the dispute to arbitration instead of to the courts through litigation.

If you are interested in learning more about the arbitration process, you can contact the National Association of Securities Dealers (NASD) or the Exchange with which your dealer is a member. The address for the New York Stock Exchange and the NASD are:

**New York Stock Exchange**  
**11 Wall Street**  
**New York, NY 10005**  
**Telephone: (212) 656-3000**

**National Association of Securities**  
**Dealers, Inc.**  
**33 Whitehall Street**  
**New York, NY 10004**  
**Telephone: (212) 480-4881**